



Entered on Docket  
May 29, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169-5996  
Facsimile (702) 949-8321  
Telephone (702) 949-8320

Susan M. Freeman AZ State Bar No. 004199  
Email: [sfreeman@lrlaw.com](mailto:sfreeman@lrlaw.com)  
Rob Charles NV State Bar No. 006593  
Email: [rcharles@lrlaw.com](mailto:rcharles@lrlaw.com)

*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
  
USA COMMERCIAL MORTGAGE  
COMPANY,  
  
USA CAPITAL REALTY ADVISORS,  
LLC,  
  
USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,  
  
USA CAPITAL FIRST TRUST DEED  
FUND, LLC,  
  
USA SECURITIES, LLC,  
  
Debtors.

) Case No. BK-S-06-10725-LBR  
) Case No. BK-S-06-10726-LBR  
) Case No. BK-S-06-10727-LBR  
) Case No. BK-S-06-10728-LBR  
) Case No. BK-S-06-10729-LBR

**CHAPTER 11**

) Jointly Administered Under Case No. BK-S-06-  
) 10725 LBR

) Date: April 26, 2007  
) Time: 9:30 a.m.

**Affecting:**

☐ All Cases

**or Only:**

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund,  
LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

**ORDER SUSTAINING TWENTY-NINTH OMNIBUS OBJECTION OF THE  
USACM LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the "USACM Trust") filed its Twenty-Ninth Omnibus Objection to Claims Asserting Secured Status [DE 3187] (the "Objection") on March 20, 2007. Appropriate notice of the Objection was given. No responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

**ORDERED:**

- Sustaining the USACM Trust's Twenty-Ninth Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

###

**PREPARED AND SUBMITTED:**

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
- ☐ approved the form of this order;
- ☐ waived the right to review the order;
- ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
- ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

**29th Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims**

	<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1	Sondra Skipworth Revocable Trust Dtd 11/28/01 C/O Sondra Skipworth Trustee 3033 Via Venezia Henderson. NV 89052-3807	10728-00074	10/16/2006	\$100,000.00	S
2	Sonnenklar, Herbert & Norma R 2501 Poinciana Dr Weston, FL 33327-1415	10725-00528	10/10/2006	\$170,789.00	S
3	Souza Jt Ten, David A & Elizabeth M 542 Socorro Ct Reno, Nv 89511	10725-01960	1/10/2007	\$515,827.21	S,U
4	Spangler, William M & Jean A 711 Gordon Ave Reno, NV 89509	10725-00823	10/30/2006	\$147,895.00	S
5	Spangler, William M & Jean A 711 Gordon Ave Reno, NV 89509	10725-01371	11/13/2006	\$147,895.00	S
6	Spangler, William M 711 Gordon Ave Reno, NV 89509	10725-00785	10/27/2006	\$14,000.00	S
7	Spangler, William M 711 Gordon Ave Reno, NV 89509	10725-01370	11/13/2006	\$14,000.00	S
8	Sparks Family Trust C/O Michael & Muriel S Sparks 1812 Cypress Greens Ave Henderson, NV 89012-6143	10725-00966	11/2/2006	\$50,000.00	S
9	Sparks, Lucrecia 868 Vegas Valley Dr Las Vegas, NV 89109	10725-00208	9/14/2006	\$4,053.28	S
10	Spindle, Floyd M 706 Ne 22Nd St Grand Prairie, TX 75050-4001	10725-01897	1/9/2007	\$52,753.62	S, U
11	Spring, Donald W & Evelyn Mae 3153 Canyon Oaks Ter Chico, CA 95928-3987	10725-01787	12/13/2006	\$51,079.00	S
12	Spring, Donald W & Evelyn Mae 3153 Canyon Oaks Ter Chico, CA 95928-3987	10725-01788	12/13/2006	\$52,219.00	S
13	Spring, Donald W & Evelyn Mae 3153 Canyon Oaks Ter Chico, CA 95928-3987	10725-01789	12/13/2006	\$52,475.00	S

14	Spring, Donald W & Evelyn Mae 3153 Canyon Oaks Ter Chico, CA 95928-3987	10725-01790	12/13/2006	\$53,156.00	S
15	Spring, Donald W & Evelyn Mae 3153 Canyon Oaks Ter Chico, CA 95928-3987	10725-01791	12/13/2006	\$53,025.00	S
16	Spring, Donald 3153 Canyon Oaks Ter Chico, CA 95928	10725-00828	10/30/2006	\$54,500.00	S
17	Stacy Grant Revocable Trust Dtd 12/24/99 Trustee 934 E Grandview Phoenix, AZ 85022	10725-00184	9/5/2006	\$101,791.67	S
18	Stark Family Trust Rolaind L Stark 10905 Clarion Ln Las Vegas, NV 89134	10725-01996	1/10/2007	\$99,134.07	S, U
19	Stephanie Trager & Lawrence B. Trager 4027 La Colina Rd. Santa Barbara, CA 93110-1426	10725-00656	10/23/2006	\$100,955.00	S
20	Stephen Family Trust Roy M & Carol J Stephen Ttees 1214 YucCA Cir St George, UT 84790-7551	10725-00866	10/31/2006	\$127,856.98	S
21	Stephen, Tad 120 E South Ave Redlands, CA 92373	10725-01134	11/8/2006	\$54,423.61	S
22	Sterling National Bank 500 7th Ave 11th Fl. New York, NY 10018-4502	10725-00301	9/29/2006	\$22,655.00	S, U
23	Sterling, Tom 213 Royal Aberdeen Way Las Vegas, NV 89144	10725-01170	10/30/2006	\$50,000.00	S
24	Sterling, Tom 213 Royal Aberdeen Way Las Vegas, NV 89144	10725-01171	10/30/2006	\$50,000.00	S
25	Sterling, Tom 213 Royal Aberdeen Wy Las Vegas, NV 89144	10725-01176	10/30/2006	\$25,000.00	S
26	Sterling, Tom 213 Royal Aberdeen Wy Las Vegas, NV 89144	10725-01179	10/30/2006	\$25,000.00	S
27	Steuer, Miklos Po Box 60267 Las Vegas, NV 89160	10725-01389	11/27/2006	\$723,559.36	S

28	Steuer, Miklos Po Box 60267 Las Vegas, Nv 89160	10725-01390	11/27/2006	\$323,533.78	S
29	Steven Anthony Fontana Trust Dtd 6/28/02 C/O Steven Anthony Fontana Ttee 262 Violet Note St Henderson, NV 89074-8900	10725-00737	10/26/2006	\$86,000.00	S
30	Stevenson Pension Trust Dtd 1/7/94 C/O Bert A Stevenson Trustee 10 Pine Ln Lakeside, Or 97449-8664	10725-01893	1/8/2007	Unknown	S, U
31	Stevenson, Bert 500 N Estrella Pkwy B2-405 Goodyear, Az 85338	10725-01894	1/8/2007	Unknown	S, U
32	Stoebling Family Trust C/O David Stoebling Trustee 3568 E Russell Rd Ste D Las Vegas, NV 89120-2234	10725-00945	11/2/2006	\$50,000.00	S, P
33	Stoebling Family Trust C/O Davidstoebling Trustee 3568 E Ruseell Rd Ste D Las Vegas, NV 89120-2234	10725-01068	11/2/2006	\$100,000.00	P, S
34	Stoebling, David 3568 E Russell Rd Ste D Las Vegas, Nv 89120-2234	10725-00946	11/2/2006	\$979.54	S, P
35	Stokes Trust, Norma M & Eugene Norma M Kerner Ttee 15758 Sunset Dr Powav, CA 92064	10725-02287	1/12/2007	\$50,746.52	S, U
36	Strauss, Bertha M 2099 West Glen Ct Reno, NV 89523	10725-00068	6/19/2006	\$71,084.16	S
37	Stricker, Lesley 4 Stanley St Pleasantville, NY 10570	10725-01958	1/10/2007	\$206,760.87	S
38	Strunk, Allen D 2762 Darby Falls Dr Las Vegas, NV 89134	10725-01462	11/16/2006	\$50,000.00	S
39	Sugar 1990 Living Revocable Trust Dtd 10/4/90 William & Marilyn R Sugar Ttees 2790 19Th Ave Apt 4 San Francisco, CA 94132-1673	10725-00539	10/10/2006	\$50,000.00	S
40	Sullivan, Erin & Jean 30 Palm Springs Ct Sparks, Nv 89436-0522	10725-01085	11/7/2006	\$24,280.00	S

41	Sumpolec 1989 Trust Dated 4/13/89 C/O John Sumpolec Jr Trustee 2405 Howard Dr Las Vegas. NV 89104-4224	10725-00592	10/16/2006	\$50,000.00	S
42	Susan J. Ward Ira 26077 Charing Cross Rd. Valencia. CA 91355-2029	10725-00686	10/20/2006	\$60,000.00	S
43	Suzanne Arbogast/Gregory R Thompson Jt Ten 1005 W Buffington St Unoland. CA 91784	10725-02131	1/11/2007	\$50,706.85	S, U
44	Swezey Ttee Of The Swezey 2001 Trust, Donadl & Beverly W 3666 Cherokee Dr Carson City. NV 89705-6813	10725-02295	1/12/2007	\$50,000.00	S, U
45	T Dwight Sper Revocable Family Trust C/O T Dwight & Bonnie Sper Ttees 1005 Cypress Ridge Ln Las Vegas. NV 89144-1425	10725-02191	1/12/2007	UNKNOWN	S, U
46	T-2 Enterprises LLC Manager Warren W Tripp 250 Greg St Sparks. NV 89431	10725-02106	1/11/2007	\$405,856.76	S, U
47	T-3 Enterprises LLC Manager Warren W Tripp 250 Greg St Sparks. NV 89431	10725-02107	1/11/2007	\$304,220.38	S, U
48	Tammadge, David 7292 Horner St San Diego. CA 92120	10725-01352	11/13/2006	\$40,125.15	S
49	Tammadge, Janie 1400 Colorado St Ste C Boulder City. NV 89005	10725-01009	11/6/2006	\$11,192.97	S